

**BILL #** HB 2076

**TITLE:** weapons; misconduct; storage; map pocket

**SPONSOR:** Gray, C.

**STATUS:** As Amended by Senate COW

**PREPARED BY:** Tyler Palmer

## **FISCAL ANALYSIS**

### **Description**

The bill makes 2 changes. The first change requires that a public establishment or event provide temporary and secure storage of weapons that are not allowed on the premises. The second change includes the map pocket in the list of places a weapon may be stored within a vehicle without a concealed weapons carrying permit.

### **Estimated Impact**

The bill would have a state cost to the extent that storage facilities would be added to state buildings. The magnitude of the fiscal impact cannot be determined, however, as a list of current security arrangements in state buildings is not available. The bill could result in 2 new costs. The first is a one-time cost to provide weapons storage, and the second is an ongoing cost to provide a security guard to oversee the weapons storage facility. Although the one-time cost of installing a weapons storage facility would be minimal, the ongoing cost of providing security for the storage facility could be extensive. The actual increase in appropriations for this item will depend on future agency budget requests and the Legislature's decision whether to fund the requests.

State buildings are grouped into 3 building systems: the Arizona Department of Administration (ADOA), the Arizona Department of Transportation (ADOT), and the Universities. ADOA concurs that the bill would have a cost, but has not yet provided an estimate. The ADOT estimates its one-time weapons storage cost to be \$90,000, and its ongoing security cost to be \$4 million. The ADOT estimate was provided prior to the Senate Floor Amendment (discussed below), and therefore does not represent any potential changes in response to the amendment. The Universities appear not to be covered by the provisions of the bill.

### **Analysis**

A.R.S. § 13-3102 states that if a person enters a public establishment or event and fails to remove a deadly weapon upon request, he or she is guilty of misconduct. The request to remove a weapon may be made either in person or by a properly worded sign. The bill adds the requirement that the operator of the establishment or the sponsor of the event provide a temporary and secure storage for weapons. The Senate Floor Amendment exempts the public entity and its employees/operators from liability for acts or omissions due to the storage of the weapon, except for in cases of gross negligence. Providing lockers for small weapons would cost approximately \$1,600 per establishment or event.

Of the 5,363 facilities within the state's 3 building systems, information is not available on the number of facilities that restrict weapons, employ security guards, or provide weapons storage. This building count includes all different types of buildings, including those with little public access. A count of state buildings is not readily available, but would represent a considerably smaller number of buildings. In light of the lack of data regarding weapons restrictions, weapons storage, and security guards at state buildings, a survey of 8 of the buildings surrounding the Capitol Mall was conducted. Of the 8 buildings surveyed, 7 have a sign posted on the entrance requesting the removal of weapons, 4 employ a security guard, and of those only 1 provides a weapons storage facility.

As noted in the Estimated Impact section, ADOT estimated that the bill would have a total cost of \$4.1 million. This amount would provide storage lockers costing \$1,000 per building, and security personnel costing \$45,000 per building for 90 buildings. The department included Motor Vehicle Division buildings, port of entry facilities, airport facilities, and public access buildings in its count of 90 buildings. Since ADOT released its original estimate, the Senate added a floor amendment that would exempt public entities and employees from liability except in cases of gross negligence. For the ADOA building

system it is unknown if agencies would hire or reassign existing staff to supervise the storage of weapons. As noted above, the actual increase in appropriations will depend on future agency budget requests and the Legislature's decision whether to fund the requests.

#### **Local Government Impact**

For reasons similar to those discussed above, the available information is not sufficient to determine the fiscal impact on local governments.

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